

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Jessica Peña	Team: Team # 1	CCRB Case #: 200503618	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input checked="" type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Thursday, 03/31/2005 2:00 PM	Location of Incident: The corner of Linden Boulevard and Francis Lewis Boulevard	Precinct: 105	18 Mo. SOL 9/30/2006	EO SOL 9/30/2006	
Date/Time CV Reported Tue, 04/05/2005 5:49 PM	CV Reported At: CCRB	How CV Reported: Mail	Date/Time Received at CCRB Tue, 04/05/2005 5:49 PM		

Complainant/Victim	Type	Home Address

Witness(es)	Home Address

Subject Officer(s)	Shield	TaxID	Command
1. POM Christopher Alden	22004	918681	105 PCT
2. POF Jennifer Matos	29429	928725	105 PCT
3. POM Anthony Salato	24592	926403	105 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Christopher Alden	Abuse: PO Christopher Alden stopped and questioned § 87(2)(b)	
B.POM Anthony Salato	Off. Language: PO Anthony Salato made remarks to § 87(2)(b) and § 87(2)(b) based upon race.	
C.POM Anthony Salato	Abuse: PO Anthony Salato threatened to issue a summons to § 87(2)(b)	
D.POF Jennifer Matos	Abuse: PO Jennifer Matos refused to provide her name and shield number to § 87(2)(b)	
E.POM Anthony Salato	Abuse: PO Anthony Salato refused to provide his name and shield number to § 87(2)(b)	

### Synopsis

On March 31, 2005, at approximately 2:00pm, § 87(2)(b) was standing on Francis Lewis Boulevard in Queens with her friends, § 87(2)(b) and § 87(2)(b) (last name unknown), waiting for the bus to go home. § 87(2)(b) was playing with her friends and threw a piece of chicken at § 87(2)(b) which landed on the ground. Officers in an unmarked vehicle, pulled up to the location, and the driver, later identified as PO Christopher Alden, called § 87(2)(b) over to the vehicle. The officers remained seated in the vehicle as PO Alden asked § 87(2)(b) for her identification to issue her a summons for littering. **[Allegation A]** § 87(2)(b) questioned why the summons would be prepared and the passenger of the vehicle, PO Anthony Salato, allegedly responded, “That’s why yu’all [sic] people always in trouble. But I’m proud. It’s not as many as yu’ll niggas out here as yesterday. I guess yu’ll realize the new sheriff won’t take no shit.” **[Allegation B]** PO Salato saw § 87(2)(b) and allegedly referred to him as “Hey black” and threatened to issue him a summons if he commented on what was happening. **[Allegation C]** After the summons was prepared § 87(2)(b) requested all of the officers names and shields. PO Salato told her that the information would be on the summons. When she again requested the officers’ names, PO Salato and PO Jennifer Matos, who was allegedly in the backseat, hid this information from her. **[Allegations D and E]** The officers drove away and circled around the block.

§ 87(2)(b), § 87(2)(g)

### Summary of Complaint

On April 1, 2005, § 87(2)(b) the mother of § 87(2)(b) sent a letter to Deputy Inspector Stephen O’Brien, the CCRB and § 87(2)(b) (encl. 6a). § 87(2)(b) complained that unidentified officers from the 105<sup>th</sup> Precinct made highly offensive remarks to her daughter and hid their badges. She attached a sworn affidavit written by § 87(2)(b) along with a copy of the summons issued to her by PO Christopher Alden.

§ 87(2)(b)

§ 87(2)(b) § 87(2)(b) prepared a sworn statement on April 1, 2005 (encl. 6b-c).

On March 30, 2005, § 87(2)(b) had just exited school and was standing on Francis Lewis Boulevard with a group of her friends. § 87(2)(b) was eating a piece of chicken and threw it at her friend, § 87(2)(b). An unmarked vehicle pulled up near where she was standing and the driver, later identified during the investigation as PO Christopher Alden, yelled, “Hey you in the red jacket.” When § 87(2)(b) turned around, PO Alden asked for her identification. § 87(2)(b) questioned why her identification was needed and was told that she was going to be issued a one hundred-dollar summons for littering (encl. 12). PO Alden asked how old § 87(2)(b) was and when she replied § 87(2)(b) he began preparing the summons. § 87(2)(b) asked PO Alden for his badge number. PO Alden hid his badge, which he had in his hand, underneath the summons book. § 87(2)(b) could see two other officers in the car, a white male in the passenger seat, later identified during the investigation as PO Anthony Salato, and a female in the backseat, later identified as Jennifer Matos. PO Salato put his badge down his shirt as PO Matos hid hers as well. PO Salato then said, “Yeah, yu’all [sic] niggas better realize there’s a new fucking sheriff in town and I’m not playing any games.”

A bus pulled into the stop and some of the students got on. A friend, later identified as § 87(2)(b) remained with § 87(2)(b) as she waited for the summons. PO Salato then yelled to him, “Hey black” and questioned why he was waiting. § 87(2)(b) responded that he was waiting for § 87(2)(b) to make sure she was okay. PO Salato said, “Mind your business. That’s why yu’all [sic] people always in

trouble. But I'm proud. It's not as many as yu'll niggas out here as yesterday. I guess yu'll realize the new sheriff won't take no shit." § 87(2)(b) asked to pick the chicken bone up but he told her "no." PO Alden then dropped his cigarette butt on the ground. § 87(2)(b) questioned why it was okay for officers to litter. PO Alden began laughing and questioned the other officers if they saw him litter, which they replied "no." § 87(2)(b) told PO Alden that she was going to fight the summons and tell the judge how they behaved and how PO Matos was laughing. PO Matos responded that she did not know it was a crime to laugh. As one of § 87(2)(b)'s friends pulled her away, PO Alden yelled, "Tell your friends so they know we're not playing." § 87(2)(b) saw the car drive around the block and the passenger stuck his head out of the window and laughed.

§ 87(2)(b) was interviewed on May 31, 2005, in the presence of § 87(2)(b) (encl. 8a-e). After § 87(2)(b)'s interview, it was determined by the investigation that the date of incident was March 31, 2005, and not March 30, 2005, as reported in § 87(2)(b)'s written statement. She provided very similar testimony to her sworn statement with the following exceptions.

§ 87(2)(b) said that it was PO Salato who threatened to summons § 87(2)(b) if he spoke. She also stated that it was PO Salato who threw the cigarette butt on the ground. § 87(2)(b) stated that it was only the passenger of the vehicle who was "being rude" and not the officer who prepared the summons. She said that PO Alden answered all of her questions. § 87(2)(b) added that as the officers drove around the block, it was PO Salato who yelled out of the window that § 87(2)(b) should tell her "fucking" friends so that they would know that they are not playing. At this point § 87(2)(b) wrote down the license plate of the vehicle, which was § 87(2)(b). She also said that she requested all of the officers' badge numbers. PO Salato was the only officer who verbally responded that the officer's name would appear on the summons.

### **Results of Investigation**

§ 87(2)(b) was interviewed by the CCRB at his residence located at § 87(2)(b) in Queens on June 30, 2005, in the presence of his mother, § 87(2)(b) (encl. 9a-c). Inv. Shadia Savo was also present during the interview. § 87(2)(b) provided similar testimony to § 87(2)(b) with the following exceptions.

On March 31, 2005, at approximately 2:00pm, § 87(2)(b) was walking with his friends § 87(2)(b) and § 87(2)(b) on the corner of Francis Lewis Boulevard. They had just exited school and § 87(2)(b) and § 87(2)(b) were on their way to track practice. § 87(2)(b) was playing around with § 87(2)(b) and threw a chicken bone at him when an unmarked vehicle pulled into the area. The officers never exited their vehicle and the driver, PO Alden, told her that he saw her throw a chicken bone on the ground. § 87(2)(b) repeatedly told the officers that she would pick it up, but PO Alden told her "no" and began preparing the summons. § 87(2)(b) who was standing a couple of feet away from § 87(2)(b) felt that the officers never gave § 87(2)(b) the option of picking up the chicken bone and questioned the officers why she could not pick up the chicken bone. The officers never responded to him. § 87(2)(b) pleaded with the officers not to issue her a summons because she would get in trouble with her mother. § 87(2)(b) and § 87(2)(b) waited for the summons to be issued. Another officer seated in the passenger seat, later identified through the investigation as PO Salato, began to get "nasty." Initially, § 87(2)(b) said that this was the same officer who told her to pick up the chicken bone but later revised his testimony and said that PO Alden never made any "nasty" remarks. There was also a female officer in the back seat, identified as PO Matos, who never said anything throughout the incident or ever exited the vehicle. PO Salato told the group, "There aren't as many niggers here as there were yesterday." The group responded that they did not know where everyone was. PO Salato then added there was "a new fucking sheriff in town." § 87(2)(b) again asked PO Alden why a summons was being written if she could have easily picked up the chicken bone. PO Alden responded that he did not care and wrote the summons.

§ 87(2)(b) never got "nasty" with the officers but did get frustrated after the racial remarks were made. § 87(2)(b) did ask for the officers' shield numbers as the summons was being prepared, but stated that she never received it. An unidentified friend of § 87(2)(b) came over to the area and PO Salato yelled out to him, "Don't fucking come over here." PO Alden was smoking a cigarette and dropped it on the

ground as he was preparing the summons. The group questioned why § 87(2)(b) was going to be issued a summons for littering if he just littered, but no response was made.

After the summons was issued, everyone walked away. The officers drove around the block and continued watching the group. § 87(2)(b) later heard that the officers made comments as they drove around, but since they were not addressed to him, he could not recall what those comments were. § 87(2)(b) never heard any officers yell, "Hey black." § 87(2)(b) never saw the officers stop any other individuals on the street.

§ 87(2)(b)

§ 87(2)(b) was interviewed on June 30, 2005 at her residence located at § 87(2)(b) in Brooklyn (encl. 10a-c). § 87(2)(b)'s mother, § 87(2)(b), granted permission over the phone for § 87(2)(b) to be interviewed by the CCRB. Inv. Savo was also present during this interview. She provided similar testimony to § 87(2)(b) and § 87(2)(b) except where noted.

On March 31, 2005, at approximately 2:00pm, § 87(2)(b) and § 87(2)(b) had just left school and were walking toward the Q4 bus to go home. § 87(2)(b) did hear someone yell, "Girl in the red jacket" and saw § 87(2)(b) speaking with an officer, later identified as PO Alden. However, § 87(2)(b) never saw § 87(2)(b) throw the chicken bone at § 87(2)(b). She said that the two male officers, PO Alden and PO Salato, were outside of their vehicle, while PO Matos remained seated in the backseat throughout the incident. She did admit that § 87(2)(b) was agitated with the officers when she heard that a summons would be prepared and asked, "How the fuck could you do this?" PO Alden stood outside of the vehicle as he prepared the summons.

As the summons was being prepared, the passenger, PO Salato said, "All you niggers are disrespectful and I need you to realize that there is a new fucking sheriff in town." § 87(2)(b) began cursing back at the officer and began crying. She identified PO Salato as the white male officer who was not preparing the summons. PO Salato was the only officer using racial slurs. PO Alden remained calm throughout the incident. § 87(2)(b) heard § 87(2)(b) request officers' names and PO Salato told her that it was none of her business. When the officers entered their vehicle, § 87(2)(b) saw an officer throw a cigarette on the ground. § 87(2)(b) could not recall which officer littered. § 87(2)(b) did complain why it was okay for the officers to litter. This officer questioned his partners if they saw him litter, and they responded "no" and then the officers drove away. § 87(2)(b) took § 87(2)(b) to another bus stop in the area. § 87(2)(b) remained by the Q4 stop, and saw the officers drive around. PO Salato put his head out of the window and began laughing.

§ 87(2)(b) never saw an individual being stopped prior to § 87(2)(b) also never heard any students in the area yelling or any of the officers yell out, "Hey black."

#### **Attempts to contact additional witnesses**

On May 31, 2005, the undersigned sent a subpoena to the § 87(2)(b) to obtain contact information for all of the students present (encl. 20a-e). The principal of the school, § 87(2)(b), stated that only § 87(2)(b) and § 87(2)(b) attend the school. Given that § 87(2)(b) could not provide a correct spelling or last name for § 87(2)(b) this student could not be located for an interview.

With the contact information obtained through the subpoena, the undersigned contacted § 87(2)(b)'s mother, on May 31, 2005. § 87(2)(b) granted permission for § 87(2)(b) to be interviewed by the CCRB. § 87(2)(b) stated that she would provide § 87(2)(b) with the undersigned's phone number so that an appointment could be scheduled. After not receiving a phone call from § 87(2)(b) the undersigned called § 87(2)(b) on June 24, 2005. § 87(2)(b) said that she spoke to § 87(2)(b) and she had no knowledge of the incident.

While § 87(2)(b) attends the same school as § 87(2)(b) he is part of a different school within the main facility. The undersigned contacted § 87(2)(b) on several occasions to obtain his contact number. § 87(2)(b) stated that she did not have this information and therefore would not be able to

contact him. A subpoena was sent to the § 87(2)(b) on July 14, 2005 however, a letter was returned on July 19, 2005, indicating that § 87(2)(b)'s name did not match any name in their system (encl. 20f-g).

## **Officer Interviews**

### **PO Christopher Alden**

*PO Alden, of the 105<sup>th</sup> Precinct, was interviewed by the CCRB on May 13, 2005 (encl. 14a-e). On March 31, 2005, he worked a tour of 7:05am to 3:40pm with PO Salato and PO Matos as part of the Street Narcotics Enforcement Unit. PO Alden has worked with PO Salato for approximately two years and PO Matos for a year. He provided the following statement.*

On March 31, 2005, at approximately 2:00pm, PO Alden, PO Salato and PO Matos were directed by the Commanding Officer of the 105<sup>th</sup> Precinct, Deputy Inspector Stephen O'Brien, to the vicinity of § 87(2)(b) regarding conditions that arise at dismissal. This is a crime strategy plan where the Anti-Crime team responds to the vicinity of the high school between the hours of 2:00pm to 3:00pm to disperse the crowd that gathers in the area. There could be anywhere between twenty to a hundred students gathering on the corner, spilling out onto the roadway and blocking traffic.

On the corner of Francis Lewis and Linden Boulevards, PO Alden saw a large group gathering. PO Alden and PO Matos exited their vehicle and approached the group. PO Salato, who arrived in another vehicle, parked away from the corner and met the officers to perform crowd control. As PO Alden was dispersing the crowd, an unidentified male threw a bottle of soda on the ground. PO Alden asked him to pick the bottle up and throw it in the garbage. The unidentified male apologized for throwing the bottle, picked it up and threw it away. § 87(2)(b) who was standing near the unidentified male, began laughing and threw a chicken bone on the ground. PO Alden requested that she pick up the chicken bone and throw it in the garbage. § 87(2)(b) said "no" and began to walk away. PO Alden requested identification to issue a summons and § 87(2)(b) said that he could not give her a summons because she is only § 87(2)(b) years old. PO Alden told her that at § 87(2)(b) she can receive a summons and again requested identification. § 87(2)(b) responded that she did not know that she could receive a summons for littering. PO Alden asked if she knew littering was wrong, which she said "yes." PO Alden again told her that she would receive a summons. § 87(2)(b) handed PO Alden her school identification. PO Alden told her that he gave her the opportunity to pick it up without the fear of any consequences, but she refused to pick it up and walked away. During this interaction, PO Alden could not account for the whereabouts of PO Matos and PO Salato, but stated that they were on the block dispersing the crowd.

PO Alden went back to his vehicle with § 87(2)(b) and sat down in the driver's seat to prepare the summons. § 87(2)(b) stood alone by the driver's side window. PO Alden conducted a warrant check, which was negative, and then filled out the summons. It took approximately three to four minutes to issue her the summons, during which time PO Salato and PO Matos may have been in the vehicle preparing stop, question and frisk reports, but he could not specifically recall. PO Salato may have entered the car since his car was parked a block away but at no point did he see § 87(2)(b) interact with PO Matos and PO Salato. PO Alden remained in the vicinity until 3:00pm and the officers drove around the area to make sure that § 87(2)(b) and her friends left the area. PO Alden does not know where PO Salato went but he did not drive around the area with him.

PO Alden denied that any racial comments or profanity were used on the scene and described it as a "non-event." He did state that PO Salato does smoke, but he did not see him throw a cigarette on the ground. PO Matos never laughed at § 87(2)(b) but could have laughed during the time she was on the scene since she is a "happy go lucky person." Throughout the time he was on the scene, PO Matos was performing crowd control and never interacted with § 87(2)(b). PO Alden never heard § 87(2)(b) request PO Salato and PO Matos' name and shield number.

### **PO Anthony Salato**

*PO Salato, of the 105<sup>th</sup> Precinct, was interviewed by the CCRB on May 17, 2005 (encl. 15a-e). He had no memo book entries in regards to this incident. On March 31, 2005, he worked a 9:30am by 6:05pm tour. He was assigned to the Anti-Crime team with PO Alden and PO Matos. PO Salato was driving his*

*personal vehicle on this date. PO Salato has worked with PO Alden for a few years and PO Matos for almost a year. He provided similar testimony to PO Alden with the following exceptions.*

On March 31, 2005, PO Salato arrived at Francis Lewis Boulevard in his personal vehicle to perform crowd control. PO Salato parked approximately a half a block away and met up with PO Alden and PO Matos who were utilizing an unmarked police vehicle. There were groups of teenagers consisting of approximately one hundred students. The officers are required by DI O'Brien to remain at the location between 2:00pm to 3:00pm. The officers were all separated but in the vicinity. PO Salato did enter PO Alden's vehicle to obtain a scratch pad to write down names when he heard PO Alden interacting with a male individual who threw a bottle. PO Salato said that he was going back and forth into the vehicle in the passenger seat. PO Salato did not recall if at any point all three of the officers were in the vehicle at the same time. The male individual was compliant with PO Alden's orders to pick up the bottle and apologized.

PO Salato heard § 87(2)(b) amongst a group of girls, all of which were boisterous. PO Alden later told PO Salato that § 87(2)(b) threw a chicken bone on the ground and he requested that § 87(2)(b) pick up the chicken bone but she refused. PO Salato said that a group of girls were yelling, "Police suck." PO Alden began preparing her a summons for littering. PO Salato could not recall if he was seated in the vehicle at this time since he interacts with "tons of people" and did not even know how § 87(2)(b) looked. The undersigned questioned if viewing a photo of § 87(2)(b) would be helpful in refreshing his memory, but PO Salato responded that it would not since he interacts with "a thousand people every day."

He later stated that as PO Alden was preparing the summons, he did enter the car. This was the time that PO Alden told PO Salato what had transpired. Some students were around the car, which made PO Salato feel uncomfortable. PO Salato could not account for PO Matos' whereabouts at this time but did not believe she was in the vehicle during the time the summons was being prepared. § 87(2)(b) questioned why the summons was being issued and said it was "bullshit" and "my mother's gonna kill me." § 87(2)(b) asked PO Alden why she could not get a break since he gave the male who threw the bottle a break. PO Alden responded that the male picked up the bottle and she did not. As PO Alden continued writing the summons, PO Salato told § 87(2)(b) that she was given a break when they asked her to pick up the chicken bone and she refused to take advantage of that. PO Salato stated that the verbal interaction he had with § 87(2)(b) was minimal since at some point he got back outside the car to disperse the students.

PO Salato denied saying, "That's what ya'll think," "There's a new fucking sheriff and we're not playing any games" and referring to someone as "Hey black." He added that there are a hundred people who were in the vicinity including shoppers and it would be completely moronic for him to make that statement. Furthermore, since PO Matos is "Spanish," it would be foolish to make these comments. He also denied seeing PO Matos laughing during the incident. He denied ever hearing a request for his and PO Matos' names and shield numbers. He did hear a request made for PO Alden's name and shield number, which he responded would be on the summons.

PO Salato could not recall how many times the officers circled around the block but denied seeing § 87(2)(b) again. He did state that he was seated in the passenger seat when they drove around, before returning to his personal vehicle. Both PO Salato and PO Alden smoke and he stated that it is possible that during the time the summons was being prepared he tossed a cigarette on the ground. PO Salato said that they were at this same location the day before and at another high school but denied saying, "There is not as many niggers as there were yesterday."

#### **PO Jennifer Matos**

*PO Matos, from the 105<sup>th</sup> Precinct, was interviewed by the CCRB on May 12, 2005 (encl. 11a-e). On this date she was assigned to work with PO Alden and PO Salato from 9:30am to 7:25pm. She was assigned to the anti-crime unit in plainclothes in unmarked vehicle #985. She did not have any memo book entries in regards to this incident. PO Matos has worked with PO Salato and PO Alden for approximately one year. PO Matos was the first officer interviewed in this case and provided the undersigned with the correct incident date of March 31, 2005 and not March 30, 2005.*

On March 31, 2005, PO Matos, PO Alden and PO Salato performed crowd control on Francis Lewis Boulevard. PO Salato met up with them in his personal vehicle. PO Matos did recall seeing an unidentified male throw a bottle as she and PO Alden pulled up to the location. PO Alden, who was the driver, yelled through PO Matos' window, for the individual to pick up the bottle and the male complied with the order. There was a female standing next to this male individual, identified as § 87(2)(b) § 87(2)(b) threw an object on the ground. PO Alden asked § 87(2)(b) to pick up the object. § 87(2)(b) sucked her teeth, rolled her eyes and refused to pick up the object from the ground. Since she refused, PO Alden then requested that she come with him to the vehicle and asked for identification.

§ 87(2)(b) approached the vehicle alone. Since there was a crowd, PO Matos exited the vehicle and left her partner alone with § 87(2)(b) PO Alden was seated in the vehicle speaking to § 87(2)(b) PO Salato and PO Matos went towards the crowd and began performing crowd control. PO Matos was talking to the teenagers and requested that they get off of the vehicles. PO Matos was engaged in conversation with some of the students. PO Matos remained there for approximately twenty minutes. When she returned to the vehicle, she could not remember if § 87(2)(b) was still speaking to PO Alden. PO Matos heard § 87(2)(b) ask her, "Why are you laughing? You have no right to laugh." PO Matos turned around but did not acknowledge § 87(2)(b) PO Matos continued performing crowd control until the bus arrived and the students got on the bus.

PO Matos denied that there were any other officers in the vehicle. She said that at no point did she see PO Salato enter the vehicle. She said that she was a distance away from PO Salato but did not hear him make any remarks about race. PO Matos never heard § 87(2)(b) request her identification or dispute the summons. PO Matos said that both PO Alden and PO Salato smoke but could not remember them smoking during this incident. PO Salato left in his vehicle at about the same time once the bus pulled away. PO Matos believed that the day before they were in the same area but could not recall if they stopped anyone. PO Matos and PO Alden drove around the area twice, during which time she again was seated in the passenger's seat. PO Salato had already left the area when they drove around.

#### **Police Documents**

PO Alden prepared the summons for § 87(2)(b) for littering (encl. 12). § 87(2)(b) § 87(2)(b) The stop, question and frisk log revealed that there were no reports prepared by either PO Salato or PO Matos on this date.

#### **Record of Criminal Convictions**

§ 87(2)(b), § 87(2)(c) (impair contract awards or CBAs) Additionally, a call was placed to Robert Nesmith from the Officer of the Comptroller on July 25, 2005. He verified that § 87(2)(b) has not filed a notice of claim in regards to this incident (encl. 22).

#### **Civilian and Officer CCRB History**

This is the first complaint filed by § 87(2)(b) and § 87(2)(b) (encl. 5). PO Alden has no substantiated allegations in his eight-year tenure with the NYPD (encl. 2). PO Salato was substantiated in 2004 for an allegation of discourtesy/word (encl. 3a-b). The Board recommended command discipline. There was no NYPD disposition available. PO Salato has not received any other substantiated allegations during his eleven-year tenure with the NYPD. He currently has four CCRB cases still pending Board review. PO Matos has no substantiated allegations during her four-year tenure with the NYPD (encl. 4).

#### **Conclusions and Recommendations**

##### **Officer Identification**

PO Alden was clearly identified by the summons issued to § 87(2)(b) All of the civilians distinguished PO Alden from PO Salato by saying that the driver was the one who prepared the summons, therefore the stop and question, allegation (A), is pleaded against him. They also stated that the officer who did not prepare the summons, and was seated in the passenger seat throughout the incident, was the only officer who used racial slurs. Therefore, the offensive language allegations, (B) and (C), are pleaded

against PO Salato. Though none of the civilians could provide any specific identification for PO Matos, since they stated she remained in the backseat, they described her as a female officer. PO Alden identified PO Salato and PO Matos as his partners during his CCRB interview. Neither officer disputes their presence on the scene. Since § 87(2)(b) stated that she asked for the passenger and the female officer's badge numbers, allegations (D) and (E) are pleaded against PO Matos and PO Salato respectively.

The following is **not disputed**: § 87(2)(b) was standing on the corner of Linden Boulevard and Francis Lewis Boulevard when she threw a chicken bone at her friend. PO Alden observed this action and asked for her identification. § 87(2)(b) presented her school identification and was issued a summons for littering. After the summons was prepared, the officers left the scene. It is **disputed** whether or not any of the officers exited their vehicle and interacted with other students on the block. Also in question is whether PO Salato made various offensive remarks to § 87(2)(b) and § 87(2)(b). PO Salato also denied threatening to issue § 87(2)(b) a summons. PO Matos also disputes that § 87(2)(b) requested her name and shield number.

§ 87(2)(b), § 87(2)(g)

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§ 87(2)(b), § 87(2)(g)

**Allegation A: Abuse of Authority: PO Christopher Alden stopped and questioned § 87(2)(b)**



§ 87(2)(b), § 87(2)(g)  
According to the Department of Sanitation section 16-118, it establishes that “no person shall litter, sweep, throw or cast...garbage, paper, dust or other rubbish and refuse of any kind whatsoever, in or upon any street or public place” (encl. 1a-c). § 87(2)(b), § 87(2)(g)  
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**Allegation B: Offensive Language: PO Anthony Salato made remarks to § 87(2)(b) and § 87(2)(b) based upon race.**

§ 87(2)(g)  
None of the civilians alleged that PO Alden or PO Matos made racial remarks or used profanity. They even testified that PO Salato was seated in the passenger seat throughout the duration of the stop and even as they drove around the block. § 87(2)(g)

§ 87(2)(g)  
§ 87(2)(g)

**Allegation C: Abuse of Authority: PO Anthony Salato threatened to issue summons to § 87(2)(b)**

§ 87(2)(b) alleged that PO Salato threatened to issue § 87(2)(b) a summons if he contested the issuance of § 87(2)(b)'s summons. Neither § 87(2)(b) nor § 87(2)(b) testified that they heard PO Salato threaten § 87(2)(b) with a summons. § 87(2)(b), § 87(2)(g)

**Allegation D: Abuse of Authority: PO Anthony Salato refused to provide his name and shield number to § 87(2)(b)**

**Allegation E: Abuse of Authority: PO Jennifer Matos refused to provide her name and shield number to § 87(2)(b)**

§ 87(2)(b) provided consistent testimony in her sworn statement and her CCRB interview that she requested PO Alden's and PO Matos' names and shield numbers. § 87(2)(g)

Investigator:

Date:

Supervisor:

Date:

Reviewed by:

Date:

Reviewed by:

Date: